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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/298,586	04/23/1999	ERIC JUSTIN GOULD	MNKYP007	2214

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EXAMINER

SINGH, RACHNA

ART UNIT	PAPER NUMBER
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2176

DATE MAILED: 11/08/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

TX

**Office Action Summary**

Application No.

09/298,586

Applicant(s)

GOULD ET AL.

Examiner

Rachna Singh

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 August 2002.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All   b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. This action is responsive to amendment filed 8/13/02.
2. Claims 1, 10, and 20 are independent claims.

#### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hunt et al., US Patent 6,128,712, 10/3/2000 (filed 1/31/97) in view of Savchenko et al., US Patent 6,343,298, 1/29/02 (filed 4/3/1997).

In reference to Amended claims 1 and 10, Hunt discloses a method and apparatus in which interactive multimedia work is delivered to a user in a variety of formats including live presentations, the Internet, and television broadcasts. The multimedia work is made up of individual segments each having a beginning and an end point. The segments are linked together sequentially (compared to ***“retrieving information comprising one or more segments . . . having a beginning and an end . . . at least one segment is associated with one or more links to the one or more second segments”***). See column 1. Hunt teaches a method in which the user selects a segment to be played. For example, if a video clip contained in a segment is sought to be played, then the user can select that segment to be played next. See columns 1-2 and figure 1. Hunt's method shows that it was known to have a segment associated

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with one or more links to one or more second segments. Hunt discloses that the segment is selected as the end of the segment is approached (compared to ***“determining prior to reaching the end if expansion is desired”***). See column 5, lines 35-40. Hunt does not explicitly disclose the combinations; however, it is implicit and obvious to one of ordinary skill in the art at the time the invention was made to combine the disclosed method steps for use in playing stored multimedia information to provide a method of playing multimedia information wherein a segment is associated to one or more second segments and selection of a second segment enables it to be played.

While Hunt teaches selection of the next segment to be played, he does not teach highlighting at least one expansion cue after the playing of at least one segment starts. However, Savchenko teaches a multimedia program in which a number of multimedia clips are tied together into a cohesive story under program control or according to user actions. This requires that the program or game be able to instantly switch from one clip to another in response to user input without a gap. The video or program allows users to influence the sequence by making choices so that the video flows seamlessly. The game must react immediately to whichever of the alternatives is actually chosen by the user (compare to ***“highlighting at least one expansion cue after the playing of the at least one segment starts. . .determining prior to reaching the end. . .based on whether an expansion cue has been selected;”***). In a video game or similar program, the user highlights one of “several different alternatives” to determine where the clip will traverse to next. See column 1-2.

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the system of Hunt with Savchenko's highlighting of a visual cue since both Hunt and Savchenko are concerned with providing the user with the ability to select the next segment to be played in a multimedia program. Moreover, both Hunt and Savchenko determine the expansion prior to reaching the end of the current segment.

In reference to claims 5-6 and 15-16, Hunt discloses a means in which the user indicates the segment to be viewed next. The indicated segment is then played (compared to ***"step of responding to a user indicia to expand a link to another segment and playing the segment"***) See columns 1-2.

In reference to claims 7 and 17, Hunt's method links dynamically to the second segment (compared to ***"step of responding to user indicia to dynamically link. . ."***). See column 1-2.

In reference to claims 8 and 18, Hunt's method teaches that the subsequent segment can provide more detailed information about the current segment such as a video clip used within a segment (compared to ***"...step of responding to user indicia to expand a link to another segment. . ."***). See columns 1-2.

In reference to claims 9 and 19, Hunt discloses the system in which the information is delivered in a live presentation (compared to ***"...providing live information. . ."***) See column 1.

In reference to claim 2-4 and 11-13, Hunt does not explicitly disclose a means in which the play is returned to the original segment after the expanded link is played;

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however, Savchenko discloses a “seamless multimedia branching”. Savchenko’s method enables a user to switch from one continuous multimedia clip to another in response to user input in a seamless manner (compared to claims 3 and 12’s “... **information from a multimedia source**”). Savchenko’s method further teaches branching all media clips so that there is no delay in the jumps to non-continuous segments. The segments or clips are bridged such that the segments progress sequentially. The segments can traverse to any other segment depending on the user’s selection including that of the original segment. If in the middle of a media clips, the user clicks on a particular room, the application rendering the first clip is halted and the new video clip is rendered. These clips are interleaved into the target clip. See columns 5-6 and figure 5. (compared to claims 2 and 11’s “**returning play to original segment . . .**”). See column 3, lines 5-20 and figures 5-9. Furthermore, Hunt does teach his system to exist over the Internet (compared to claims 4 and 13’s) “. . . **including information from a multimedia source**”) See column 1. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hunt’s method of selecting and playing linked segments with Savchenko’s method of seamlessly returning the play to the original segment since it allows the user to continue viewing where he or she left off.

In reference to claims 14, it is well known in the art to use a broadband network in supporting an Internet protocol.

In reference to claim 20:

- The multimedia work is made up of individual segments each having a beginning and an end point (compare to ***“wherein the information in one or more segments. . .multimedia source;”***). The segments are linked together sequentially (compared to ***“initiating an access to a data store. . .retrieving information comprising one or more segments . . .having a beginning and an end”***). See column 1.
- Hunt discloses allocating resources for playing segments. See figure 4.
- Hunt discloses a means in which the user indicates the segment to be viewed next. The indicated segment is then played (compared to ***“step of responding to a user indicia to expand a link to another segment and playing the segment”***) See columns 1-2.
- Hunt's method links dynamically to the second segment (compared to ***“step of responding to user indicia to dynamically link. . .”***). See column 1-2.
- Hunt's method teaches that the subsequent segment can provide more detailed information about the current segment such as a video clip used within a segment (compared to ***“. . .step of responding to user indicia to expand a link to another segment. . . .”***). See columns 1-2.
- Hunt discloses the system in which the information is delivered in a live presentation (compared to ***“. . .providing live information. . .”***) See column 1.

Hunt teaches a method in which the user selects a segment to be played For example, if a video clip contained in a segment is sought to be played, then the user can select that segment to be played next. See columns 1-2 and figure 1. Hunt's

method shows that it was known to have a segment associated with one or more links to one or more second segments (compare to ***“fetching an expansion link list. . .links to one or more second segments;”***). Hunt discloses that the segment is selected as the end of the segment is approached (compared to ***“determining prior to reaching the end if expansion is desired”***). See column 5, lines 35-40. Hunt further teaches delivering interactive multimedia work from a network server. See abstract. It is well known in the art to use a broadband network in supporting an Internet protocol.

Hunt teaches playing a multimedia segment, determining if an expansion is desired, linking to that segment, and playing the segment. See rejections above. Compare to ***“capturing and playing a continuous content comprising: playing. . .determining. . .linking. . .and playing the another segment”***.

Hunt's system applies live multimedia data consisting of segments (compare to ***“capturing a live data stream. . .in segments”***). See abstract.

Hunt does not explicitly disclose the combinations; however, it is implicit and obvious to one of ordinary skill in the art at the time the invention was made to combine the disclosed method steps for use in playing stored multimedia information to provide a method of playing multimedia information wherein a segment is associated to one or more second segments and selection of a second segment enables it to be played.

Savchenko teaches a multimedia program in which a number of multimedia clips are tied together into a cohesive story under program control or according to user actions. This requires that the program or game be able to instantly switch from one clip to another in response to user input without a gap. The video or program allows users to



influence the sequence by making choices so that the video flows seamlessly. The game must react immediately to whichever of the alternatives is actually chosen by the user (compare to ***“highlighting at least one expansion cue after the playing of the at least one segment starts. . .determining prior to reaching the end. . .based on whether an expansion cue has been selected;”***). In a video game or similar program, the user highlights one of “several different alternatives” to determine where the clip will traverse to next. See column 1-2.

Savchenko also teaches that when bridge data is delivered, they are stored in memory. If the bridge data is no longer an option, then the data is cleared from bridge memory. See abstract and columns 1-3. Compare to ***“wherein if an expansion cue has not been selected: determining. .halting the playing of segments if the link stack is empty”***.

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the system of Hunt with Savchenko’s highlighting of a visual cue since both Hunt and Savchenko are concerned with providing the user with the ability to select the next segment to be played in a multimedia program. Moreover, both Hunt and Savchenko determine the expansion prior to reaching the end of the current segment.

### ***Response to Arguments***

5. In regards to claims 1 and 10, Applicant argues that neither Hunt nor Savchenko teach requiring highlighted expansion cues to select prior to termination. However, as indicated in the rejections above, Savchenko teaches a multimedia program in which a

number of multimedia clips are tied together into a cohesive story under program control or according to user actions. This requires that the program or game be able to instantly switch from one clip to another in response to user input without a gap. The video or program allows users to influence the sequence by making choices so that the video flows seamlessly. The game must react immediately to whichever of the alternatives is actually chosen by the user (compare to ***“highlighting at least one expansion cue after the playing of the at least one segment starts. . .determining prior to reaching the end. . .based on whether an expansion cue has been selected;”***). In a video game or similar program, the user highlights one of “several different alternatives” to determine where the clip will traverse to next. See column 1-2.

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the system of Hunt with Savchenko's highlighting of a visual cue since both Hunt and Savchenko are concerned with providing the user with the ability to select the next segment to be played in a multimedia program. Moreover, both Hunt and Savchenko determine the expansion prior to reaching the end of the current segment.

In regards to claims 2 and 11, Applicant argues that neither Hunt nor Savchenko return play to the original segment; however, Savchenko's method further teaches branching all media clips so that there is no delay in the jumps to non-continuous segments. The segments or clips are bridged such that the segments progress sequentially. The segments can traverse to any other segment depending on the user's selection including that of the original segment. If in the middle of a media clips, the

user clicks on a particular room, the application rendering the first clip is halted and the new video clip is rendered. These clips are interleaved into the target clip. See columns 5-6 and figure 5. (compared to claims 2 and 11's "**returning play to original segment . . .**"). See column 3, lines 5-20 and figures 5-9.

### **Conclusion**

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent 6,144,375	Jain et al.	11/7/00
US Patent 6,377,996	Lumelsky et al.	4/23/02
US Patent 6,181,332	Salahshour et al.	1/30/01
US Patent 5,892,507	Moorby et al.	4/6/99

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rachna Singh at 703.305.1952. The examiner can normally be reached on Monday-Friday from 8:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached at 703.308.5186.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is 703.305.3900.

**Any response to this action should be mailed to:**

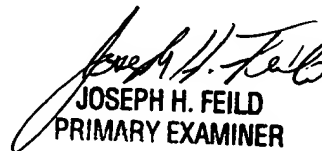
Commissioner of Patents and Trademarks  
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**or faxed to:**

<b>After-Final</b>	<b>703.746.7238</b>
<b>Official</b>	<b>703.746.7239</b>
<b>Non-Official/Draft</b>	<b>703.746.7240</b>

Hand-Delivered responses should be brought to Crystal park II, 2121 Crystal Drive, Arlington VA., Sixth Floor (Receptionist).

Rachna Singh  
October 22, 2002

  
JOSEPH H. FEILD  
PRIMARY EXAMINER